

### **REMARKS/ARGUMENTS**

Prior to the entry of this Amendment, claims 1, 7-14, 16, 20-25, 27, 31-36, 38, 39, 41-44, 46-49, and 51-53 were pending in this application. Claims 1, 9, 16, 21, 27, 32, 38, 43, 48, and 53 have been amended, claim 8 has been canceled, and claim 54 has been added herein. Therefore, claims 1, 7, 9-14, 16, 20-25, 27, 31-36, 38, 39, 41-44, 46-49, and 51-54 are now pending in this application. Applicants request reconsideration of these claims for at least the reasons presented below.

#### **35 U.S.C. § 102 Rejection, Hardy**

The final Office Action rejected claims 1, 7-14, 16, 20-25, 27, 31-36, 38, 39, 41-44, 46-49, and 51-53 under 35 U.S.C. §102(e) as being anticipated by U. S. Patent No. 6,073,242 to Hardy et al. (hereinafter “Hardy”). The Applicants respectfully submit the following arguments pointing out significant differences between claims 1, 7-14, 16, 20-25, 27, 31-36, 38, 39, 41-44, 46-49, and 51-53 submitted by the Applicant and Hardy.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” MPEP 2131 citing *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Applicant respectfully argues that Hardy fails to disclose each and every claimed element. For example, Hardy fails to disclose, either expressly or inherently, a first workflow which calls for obtaining an approval before performing a certificate related action for users having a first user type and a second workflow which does not call for obtaining an approval before performing a certificate related action for users having a second user type. Hardy also fails to disclose obtaining an approval from an entity identified in a user profile for the user and obtaining a certificate based on that approval.

Hardy is directed to “an authority server that supports the implementation of role-based enterprise policies for expressing and exercising authority and the projection and transfer of those authorities over networks of communicating electronic systems.” (Col. 3, line 23-27) Under Hardy, “the authority server exclusively embodies the authorities of the enterprise and allows its users to indirectly wield those authorities only as permitted by enterprise policies.” (Col. 3, lines 28-31) That is, Hardy describes issuing representations of authority based on application of enterprise policies. See generally col. 3, line 23 – col. 4, line 51.

However, Hardy fails to disclose, either expressly or inherently, a first workflow which calls for obtaining an approval before performing a certificate related action for users having a first user type and a second workflow which does not call for obtaining an approval before performing a certificate related action for users having a second user type. Hardy also fails to disclose such an entity identified in a user profile for the user. Hardy does not disclose one of the workflows requiring approval for a certificate action while another does not. That is, Hardy does not disclose, expressly or inherently, selecting workflows that handle certificate related requests differently, i.e., requiring or not requiring approval from an entity associated with a requesting user, based on the type of user requesting the action. Rather, Hardy describes issuing representations of authority based on a set of enterprise policies but without mentioning obtaining approval from an entity associated with the requestor, identified in an identity profile for the requestor or otherwise.

In response to these arguments, the final Office Action contends that the “arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.” The final Office Action further contends that “Applicant’s arguments begins with a list of limitations which the Applicant alleges that Hardy fails to disclose,” that “this listing fails to include the exact language of the claims,” but notes that the arguments provide “a verbatim recitation of the list of limitations

appearing earlier on the page.” While the Applicants respectfully submit that the provided claim recitations to which the Office Action seems to object do in fact specifically point out the language of the claims that patentably distinguishes them from the reference, the following additional comments are provided to further illustrate the differences between Hardy and the recitations of the pending claims.

As noted above and to paraphrase the claim recitations, Hardy does not disclose, expressly or inherently, workflows for performing certificate related actions that either call for approval from an entity associated with the user and identified in a user profile for the user or do not call for approval depending upon the type of user as indicated by a user profile for the user. That is, Hardy does not disclose, expressly or inherently, selecting workflows that handle certificate related requests differently, i.e., requiring or not requiring approval from an entity associated with a requesting user, based on the type of user requesting the action. In an effort to demonstrate selecting such different workflows, the final Office Action cites col. 13, line 44 thru col. 14, line 25 of Hardy. This portion of Hardy recites in total:

“The roles database 186 defines, among other things, mappings from:  
users to roles;  
users to authorities;  
roles to other roles; and  
roles to authorities.

The roles database 186 also defines the term or date of expiration of the defined mappings. In the present invention specific users can have one or more defined roles within the enterprise, each of which is associated with other roles and/or particular authorities, explicitly or implicitly. FIG. 4 shows an instance of the roles database 186 for a hypothetical enterprise. Mappings from user names to roles/authorities are shown in the upper portion 186a and mappings from roles to roles/authorities are shown in the middle portion 186b. For clarity, mappings from external users and/or roles to internal roles and/or authorities are shown in the lower portion 186c.

Referring to the top section 186a, the entry 186a.1 shows that the user A. Hardy permanently fills the roles of President and Employee but is unavailable to

perform those duties from Jan. 1, 1998 to Feb. 1, 1998. According to the entry 186a.2, the user M. Wills permanently fills the roles of CFO and Employee, and briefly (from Jan. 1, 1998 to Feb. 1, 1998), the Acting President role. The entry 186a.3 shows that the user D. Tribble permanently fills the roles of CTO (Chief Technical Officer) and Employee and also permanently holds Check Signing authority. Finally, the entry 186a.4 shows that the user N. Hardy permanently fills the role of Employee and no other role.

Entry 186b.1 of the middle portion 186b of the roles database shows that the President is authorized to fill other enterprise roles and to exercise other enterprise authorities, including CFO, CTO and Manager. For example, if the rules database 188 required that the Manager of Accounting were the only person who could authorize a particular expenditure, the President could also authorize that expenditure. Moreover, because she is explicitly allowed to play the role of Employee, the President could issue a request to the authority application 154 to send mail for her as a simple Employee of BigCorp. Note that the range of Presidential authority and roles could also be defined in the rules database 188. The entry 186b.2 also shows that the CFO can fill the roles of Manager of Contracts or the VP of Accounting. This would, e.g., allow the CFO to represent herself as or exercise the authorities allotted to the Manager of Accounting. Similarly, entry 186b.3 shows that the CTO can exercise the authorities of Manager in addition to those associated with the CTO role."

That is, the mapping of users to authorities described in this portion of Hardy seems to describe a definition of permissions for performing particular tasks. The final Office Action seems to have identified the term "authority" in this portion of Hardy and seems to equate this to the entity associated with the user. For example, in regard to the claim recitation of "retrieving an approval response from the entity associated with the first user," the final Office Action cites col. 4, lines 11-18 and 23-45. This portion of Hardy states in part:

"Over their secure, authenticated connections, clients can request that a specific authority be applied to their communication. Based on the authority associated or delegated to the user in the authority server and the policies established in the server's configuration, the server can then invoke appropriate authorities on behalf of the user, while enforcing enterprise policy (such as logging) on the invocations of those authorities." (Col. 4, lines 11-18)

The Applicants respectfully submit that rather than identifying another entity and obtaining from that entity an approval for a requested action, the “authority” of Hardy describes a permission, i.e., actions which a particular user has permission or authority to perform. Furthermore, to any extent that the element of Hardy that provides this authority, i.e., the authority server, can be considered another entity, the authority server is not identified in a user profile for the requesting user as recited, for example, in claim 1. Therefore, the Applicants respectfully maintain that Hardy fails to disclose, expressly or inherently, workflows for performing certificate related actions that either call for approval from an entity associated with the user and identified in a user profile for the user or do not call for approval depending upon the type of user as indicated by a user profile for the user.

More specifically, claim 1, upon which claims 2-15 and 54 depend, claim 16, upon which claims 17-26 depend, and claim 27, upon which claims 28-37 depend, each recite in part “retrieving by the Identity System a first workflow for responding to said request from a plurality of workflows for responding to requests for certificate related actions, wherein each workflow in said plurality of workflows corresponds to a different set of characteristics for a user, wherein the first workflow contains a first set of directives and a second workflow in said plurality of workflows contains a second set of directives, wherein said first set of directives is different from said second set of directives, wherein said first workflow calls for obtaining an approval before performing a certificate related action for users having a first user type, wherein said second workflow does not call for obtaining an approval before performing a certificate related action for users having a second user type, and wherein retrieving the first workflow further comprises selecting the first workflow from the plurality of workflows based on the first certificate related action and ~~the~~ a user type of the first user from a set of characteristics for the first user from an identity profile for the first user maintained by the Identity System being the first user type; and performing said first workflow, wherein performing said first workflow comprises retrieving an approval response from an entity associated with the first user and identified in the identity profile for the first user and obtaining a certificate based on the approval

response.” Hardy fails to disclose, either expressly or inherently, Hardy fails to disclose, either expressly or inherently, a first workflow which calls for obtaining an approval before performing a certificate related action for users having a first user type and a second workflow which does not call for obtaining an approval before performing a certificate related action\_for users having a second user type. Hardy also fails to disclose obtaining an approval from an entity identified in a user profile for the user and obtaining a certificate based on that approval. For at least these reasons, the Applicants respectfully request withdrawal of the rejection and allowance of claims 1, 3-14, 16, 18-25, 27, 29-36, and 54.

Claim 38, upon which claims 39-42 depend, claim 43, upon which claims 44-47 depend, and claim 48, upon which claims 49-52 depend, each recite in part “retrieving a first workflow for responding to said first request from a plurality of workflows, wherein each workflow in said plurality of workflows corresponds to a different set of characteristics for a user, wherein said first workflow calls for obtaining an approval before performing a certificate related action for users having a first user type, wherein a second workflow of the plurality of workflows does not call for obtaining an approval before performing a certificate related action for users having a second user type, and wherein retrieving the first workflow for responding to said first request further comprises selecting the first workflow from the plurality of workflows based on the first certificate related action and a user type of the first user being the first user type; [and] performing said first workflow, wherein performing said first workflow comprises retrieving an approval response from ~~the~~ an entity associated with the first user and obtaining a certificate.” Hardy fails to disclose, either expressly or inherently, Hardy fails to disclose, either expressly or inherently, a first workflow which calls for obtaining an approval before performing a certificate related action for users having a first user type and a second workflow which does not call for obtaining an approval before performing a certificate related action\_for users having a second user type. Hardy also fails to disclose obtaining an approval from an entity identified in a user profile for the user and obtaining a certificate based on that approval. For at least these

reasons, the Applicants respectfully request withdrawal of the rejection and allowance of claims 38-52.

**CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Dated: July 1, 2009

Respectfully submitted,

/William J. Daley/  
William J. Daley  
Reg. No. 52,471

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 303-571-4000 (Denver office)  
Fax: 303-571-4321 (Denver office)  
WJD:jep

62061848 v1